

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3, 5, 7-9, 11, 12, 14-24, and 26-31 are pending in this application, Claim 31 having been added. Support for new Claim 31 can be found, for example, in the original claims, drawings, and specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 1, 3-5, 7, 8, 10-12, 14-24, and 26-30 were rejected under 35 U.S.C. §102(b) as anticipated by Hill et al. (U.S. Patent No. 6,236,981; hereinafter “Hill”); and Claim 9 was rejected under 35 U.S.C. §103(a) as unpatentable over Hill in view of Van Berkel (U.S. Patent Publication No. 2002/0190964).

In response to the rejection of Claims 1, 3-5, 7, 8, 10-12, 14-24, and 26-30 under 35 U.S.C. §102(b) as anticipated by Hill, Applicants have amended independent Claim 1 to recite features formerly of Claim 10. Applicants respectfully submit that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied reference.

Amended independent Claim 1 is directed to an information processing device including, *inter alia*:

...device storing user information related to a user and communicating with a plurality of other information processing devices, said information processing device comprising:

presenting means for presenting by wireless communication user information to be read or changed by said other information processing device, **said user information includes preference information indicating preferences of said user**, and is updated on a basis of a history of use of contents provided from said other information processing device;

¹ See Figure 20B, 21-23, 26, and 28; and page 74, line 10 to page 82, line 15 of the specification.

specifying means for specifying permission to read or change the user information presented by said presenting means;

identifying means for identifying said other information processing device;

storing means for storing the user information read or changed by said other information processing device identified by said identifying means in association with said other information processing device; and

communicating means for transmitting said user information by quasi-electrostatic field communication, electromagnetic wave communication, or optical communication directly between said information processing device and said other information processing device,

wherein said preference information is transmitted to an information device specified by said user, and said information device is operated in correspondence with said preference information.

Independent Claims 12, 14, 15, 24, and 26-28 recite substantially similar features as Claim 1. Thus, the arguments presented below with respect to Claim 1 are also applicable to Claims 12, 14, 15, 24, and 26-28.

Initially, Applicants note that Hill is directed towards a digital payment system, while in a non-limiting embodiment of Applicants' invention, a information processing device which stores information about the user's preferences can be carried by the user, and the user preference information can be transmitted to other devices. The user preference information causes the other devices to operate in a particular manner. For example, a music reproduction device can play songs suited to the user's tastes based upon the user preference information that is transmitted from the information processing device to the music reproduction device. Hence, Applicants respectfully submit that Hill is non-analogous art. Also, the outstanding Office Action fails to identify which devices in Hill the Examiner is interpreting to be equivalent to Applicants' claimed "information processing device" and "other information processing devices."

Applicants respectfully submit that Hill fails to teach or suggest “**said user information includes preference information indicating preferences of said user**, and is **updated** on a basis of a history of **use of contents** provided from said other information processing device,” as recited in Claim 1. Page 3 of the outstanding Office Action asserts that column 2, lines 11-12 of Hill describes the above features. However, column 2, lines 11-12 of Hill merely describes that a method of operating a digital payment transaction system includes “issuing to a user a set of digital payment tokens comprising a sequence of digitally encoded random numbers derived from the said stored sequence of random numbers.” Thus, this portion of Hill describes that payment tokens are issued to a user, but does not describe that the digital payment tokens include preference information which indicates the preferences of the user. The digital payment tokens are merely used for electronic payment.

Page 3 of the outstanding Office Action, asserts that Hill describes “said preference information is transmitted to an information device specified by said user, and said information device is operated in correspondence with said preference information [user information of users with administrative functions, column 9, lines 27-55].” Applicants respectfully disagree.

As described above, the digital payment tokens do not include preference information that indicates the preferences of the user. Thus, Hill also does not describe that when the digital payment tokens are transmitted to an information device specified by the user, that the information device **is operated (i.e. controlled) in correspondence with the preference information.**

Column 9, lines 44-55 of Hill states:

The CID (Carnet Information Database) holds **state information for the user carnets** and for the merchant modules. This database is used by the clearer to identify the next expected payment or authentication token. It also allows the updater to reconstruct any set of payment or authentication tokens from the RND. The key is the value used in the keyed

hash to construct the tokens. The database ID, start offset and size fields identify the source of the random data in the RND. The token index is the index of the next expected token and lies in the range [0 . . . size]. The resync (resynchronisation) counter is a record of number of tokens that have been skipped in order to clear a received token. (Emphasis added).

Thus, the above portion of Hill merely describes that the Carnet Information Database holds state information for the user carnets. In contrast, in Applicants' Claim 1, the information processing device stores user information which includes preference information indicating preferences of a user, and the user information is transmitted to an information device specified by the user. The information device is operated in correspondence with the preference information contained in the user information. Hill does not describe that the operation of a device is controlled based on the carnert information. Thus in Hill, an external device (i.e., information device specified by the user) is not operated based upon the user preferences that are received from an information processing device.

Thus, Applicants respectfully submit that independent Claims 1, 12, 14, 15, 24, and 26-28 (and all claims depending thereon) patentably distinguish over Hill.

Accordingly, Applicants respectfully request that the rejection of Claims 1, 3-5, 7-8, 10-12, 14-24, and 26-30 under 35 U.S.C. §102(b) as anticipated by Hill be withdrawn.

In response to the rejection of Claim 9 under 35 U.S.C. §103(a) as unpatentable over Hill in view of Van Berkel, Applicants note that Claim 9 is dependent on Claim 1 and is thus believed to be patentable for at least the reasons discussed above. Further, Applicants respectfully submit that Van Berkel fails to cure any of the above-noted deficiencies of Hill.

Accordingly, Applicants respectfully request that the rejection of Claim 9 under 35 U.S.C. §103(a) as unpatentable over Hill in view of Van Berkel be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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